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असाधारण

EXTRAORDINARY

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PART II—Section 3—Sub-section (ii)

आधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS

(Department of Petroleum and Chemicals)

ORDERS

*New Delhi, the 14th August 1970*

**S.O. 2745.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Drugs (Prices Control) Order, 1970. namely:—

1. (1) This Order may be called the Drugs (Prices Control) Third Amendment Order, 1970.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Drugs (Prices Control) Order, 1970—

(i) in paragraph 2,—

(a) in clause (1), after the words “this Order”, the following words shall be inserted, namely:—

“or the price fixed by the Central Government under sub-paragraph (4) of paragraph 11, as the case may be;”;

(b) in clause (n), for the words “of the Order”, the following words shall be substituted, namely:—

“of this Order or the retail price fixed by the Central Government under sub-paragraph (4) of paragraph 11, as the case may be;”;

(ii) in paragraph 11,—

- (a) in the heading, for the words "to scrutinise the price list and to fix the retail price in certain cases", the words "to fix manufacturer's price, retail price and trade commission of certain formulations" shall be substituted;
- (b) after sub-paragraph (3), the following sub-paragraphs shall be inserted, namely:—
  - "(4) Notwithstanding anything contained in sub-paragraph (1) and paragraphs 6, 7, 13, 14 and 20, the Central Government may, either generally or in individual cases, by order, fix, in the public interest, the manufacturer's price or retail price or both, of any formulation or class of formulations essential to the life of the community.
  - (5) Notwithstanding anything contained in paragraph 21, the Central Government may, either generally or in individual cases, by order, fix, in the public interest, the trade commission payable to intermediaries and retailers in respect of the formulation referred to in sub-paragraph (4):

Provided that in any case where the price for any formulation calculated in through the medium of a wholesaler, the trade commission allowed to such wholesaler shall not be less than 2 per cent of the retail price.

- (6) The price and trade commission fixed under sub-paragraphs (4) and (5) shall be in force until altered or cancelled by the Central Government."

[No. 17(24)/70-CH.III.]

**S.O. 2745A.**—In pursuance of sub-paragraphs (4) and (5) of paragraph 11 of the Drugs (Prices Control) Order, 1970, the Central Government, hereby fixes the manufacturer's price and the retail price of all formulations of penicillin and streptomycin in injectable form manufactured by the various drugs manufacturers, at the price levels prevailing on the 15th May, 1970 and hereby fixes the trade commission payable in respect of the said formulations at the rates prevailing on the said date subject to the condition that in cases where a manufacturer also functions as a distributor through the medium of a wholesaler, the trade commission allowed to such wholesaler shall not be less than 2 per cent of the retail price.

[No. 17(24)/70-CH.III.]

B. MUKERJI, Secy.